IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE

APPEAL NO. 915 OF 1997
IN
SUIT NO.4640 OF 1995

1. K.R.Steel Union Ltd. & ors. Appellants

vs.

1. State Bank of Indore & Anr. Respondents

Mr. Dinesh Pednekar i/b. M/s. Khaitan & Jayakar for the appellants.

Mr. Sandeep Parekh i/b. M/s.Bilawala & Co. for the respondent no.1.

Mr. K. H. Mody i/b. M/s. Little & Co. for the respondent no.2.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ

DATED : 2nd September 2004

P.C.

Mr.Dinesh Pednekar, the learned counsel for the appellants submits that he has no instructions to argue the matter.

2. On 9th July 2004, we passed the following order:

> " Mr.Ashish Panickar, the learned advocate for the appellant submits that talks of settlement between the parties have substantially progressed and some more time shall be required.
>
> 2. S.O. three weeks."

3. Thereafter, again at the request of the counsel for parties, we adjourned the matter on 19th August 2004 to enable the parties to file the consent terms. The order dated 19th August 2004 reads thus:

> "Earlier twice the hearing of the appeal was adjourned as the learned counsel appearing for the parties informed us that talks of settlement between the parties have been substantially progressed. The counsel for the parties pray for further time for filing consent terms.
>
> 2. S. O. two weeks under the caption "For filing consent terms".

4. The consent terms have not been filed and the learned counsel for the appellant submits that he has no instructions to argue the matter.

5. The appeal is dismissed for want of prosecution.

(R.M. LODHA, J.)

(J.P. DEVADHAR,J.)